



## PATENT

Group Art Unit: 3739

Examiner: Not Yet Assigned

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Michael E. Zalis

Appl. No.:

09/828,268

Filed

April 6, 2001

Entitled

SYSTEM FOR DIGITAL BOWEL

SUBTRACTION AND POLYP DETECTION

AND RELATED TECHNIQUES

Docket

MGH-005AUS

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231 on the date set forth below.

*A* 1.

Date of Signature and Mail Deposit

By:

Christopher S. Daly

Reg. No. 37,303

Attorney for Applicant(s)

RECEIVED

# INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents Washington, DC 20231

Dear Sir:

It is desired to cite for the record in this application the enclosed documents listed on the attached copy of PTO Form #1449. The paragraph(s) marked below are applicable to this Information Disclosure Statement.

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[ ] (1) The enclosed Information Disclosure Statement is being filed: within three months of the filing date; or within three months of the entry of the national stage of the above-identified application; or before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. §1.114. Accordingly, Applicant(s) believes that no fee or statement is required.

[ ] (2) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by the fee set forth in § 1.17(p).

## STATEMENT UNDER 37 C.F.R. § 1.97(e)(1) PURSUANT TO 37 C.F.R. § 1.97(c)

[X] (3) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by a statement under 37 C.F.R. § 1.97(e)(1). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement.

### STATEMENT UNDER 37 C.F.R. § 1.97(e)(2) PURSUANT TO 37 C.F.R. § 1.97(c)

[ ] (4) Pursuant to 37 C.F.R. § 1.97(c), the enclosed Information Disclosure Statement is being filed before the mailing date of a final action or a notice of allowance and is accompanied by a statement under 37 C.F.R. § 1.97(e)(2). The undersigned hereby states that no item of information contained in the accompanying

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Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual having a duty of disclosure as set forth in 37 C.F.R. § 1.56 (c) more than three months prior to the filing of the accompanying Information Disclosure Statement.

### PETITION UNDER 37 C.F.R. § 1.97(d) WITH A STATEMENT UNDER 37 C.F.R. § 1.97(e)(1)

[ ] (5) Pursuant to 37 C.F.R. § 1.97(d), Applicant(s) hereby petition the Assistant Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state that the issue fee has not been paid and that a statement under 37 C.F.R. § 1.97(e) is provided herein, along with the petition fee required under 37 C.F.R. § 1.17(i). The undersigned hereby states that each item of information contained in the attached Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application mailed not more than three months prior to the filing of the accompanying Information Disclosure Statement.

# PETITION UNDER 37 C.F.R. § 1.97(d) WITH A STATEMENT UNDER 37 C.F.R. § 1.97(e)(2)

[ ] (6) Pursuant to 37 C.F.R. § 1.97(d), Applicant(s) hereby petition the Assistant Commissioner to consider the attached Information Disclosure Statement. Applicant(s) state that the issue fee has not been paid and that a statement under 37 C.F.R. § 1.97(e) is provided herein, along with the petition fee required under 37 C.F.R. § 1.17(i). The undersigned hereby states that no item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the

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undersigned, after making reasonable inquiry, no item of information contained in the

accompanying Information Disclosure Statement was known to any individual having a

duty of disclosure as set forth in 37 C.F.R. § 1.56 (c) more than three months prior to

the filing of the accompanying Information Disclosure Statement.

The filing of this Information Disclosure Statement is not a representation by

the undersigned as to personal knowledge of the contents of every word or phrase of the

material enclosed or that reliance on other suitably trained professionals has not been

made.

If a search report of a searching agency is enclosed identifying the nature of the

relevance of each document, such a designation is deemed to satisfy Rule 98(a) (3)

even if in a foreign language, since the few terms of relevance therein are deemed of

universal cognizance. However, Applicant(s) does not necessarily adopt the position

reflected by that report.

The Commissioner is hereby authorized to charge payment of any additional fees

associated with this communication or credit any overpayment to Deposit Account No. 500845.

Dated: 9MMYUD

Respectfully submitted,

DALY, CROWLEY & MOFFORD, LLP

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